

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

JOSHUA SISCO,

Plaintiff,

Case No 3:21-cv-059-DMB-RP

v.

UNIVERSITY OF MISSISSIPPI, *et al.*

Defendants.

MOTION TO RECONSIDER

Plaintiff Joshua Sisco respectfully requests that this Court reconsider its ruling that the Americans with Disabilities does not abrogate a State's Eleventh Amendment immunity in the educational context. The Court dismissed his ADA claims against the University of Mississippi without prejudice. Doc. 24 at 13. As argued in the contemporaneously filed memorandum brief, this Court should revisit this ruling under Rule 54(b), because the Court mistakenly concluded that abrogation is considered on a "claim-by-claim" basis, doc. 24 at 13, when in fact abrogation is decided based on a "class of conduct." *United States v. Georgia*, 546 U.S. 151, 159 (2006).

Respectfully submitted,

May 11, 2022

/s/ Chris Edmunds

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